

D. Remarks

The claims are 1, 6-8, and 11-13, with claim 1 being the sole independent claim. Claims 2-5, 9, and 10 have been cancelled without prejudice or disclaimer. Claims 1 and 6 have been amended for clarification to resolve formal issues raised by the Examiner. Claims 7, 8, and 11 have also been amended for clarification. No new matter has been added. Reconsideration of the present claims is expressly requested.

Claims 1-13 stand rejected under 35 U.S.C. § 112, second paragraph, as being allegedly indefinite.

With respect to claim 1, the Examiner alleged that it is unclear what structural limitation is intended by the phrase “prescribed positions are totals of integer multiples of existence quantity units defined for the respective chemical substances”.

Applicants respectfully submit that the definitions for the terms in claim 1 and the explanation of the above-noted phrase are provided in the specification at page 9. Applicants also amended claim 1 to delete the term “total” for simplification.

With respect to claims 2-5, 9, and 10, since these claims have been cancelled, the rejection thereof is moot.

With respect to claim 6, the Examiner has alleged that the meaning of the phrase “different in the existing ratios of the chemical substance” is unclear.

In response, claim 6 has been amended to clarify that proportions of chemical substances at different prescribed positions are different from each other.

In view of the above amendments and remarks, withdrawal of the

indefiniteness rejection is respectfully requested.

Claims 1-13 stand rejected under 35 U.S.C. § 102(b) as being allegedly anticipated by U.S. Patent No. 6,485,913 B1 (Becker). The grounds of rejection are respectfully traversed.

Prior to addressing the merits of the rejection, Applicants would like to briefly discuss some of the features and advantages of the presently claimed invention. That invention, in pertinent part, is related to a test specimen that includes one or more chemical substances fixed at predetermined, independent positions on a substrate. Importantly, the quantity of each such chemical substance at each of these positions is an integer multiple of a predetermined amount for this substance (page 9, lines 1-17). The test specimen in accordance with the present invention may be prepared, for example, by using an inkjet system to deposit droplets having a constant amount of a substance. This amount may be the above-noted predetermined amount or an integer multiple of that amount. To differentiate the amounts of the deposited material at different spots, a different number of droplets may be applied at each spot (page 10, lines 17-20). As a result, better and more sensitive detection can be performed.

Becker is directed to an open system for performing submicroliter reactions. This reference mentions adjusting the amount of a liquid on a picoliter scale and carrying out reactions at plural positions on the same chip at different conditions. However, Applicants respectfully submit that Becker fails to disclose or suggest a chip on which a substance is deposited at plural positions in an amount, at each position, which is an integer

multiple of a predetermined amount (existence quantity unit).

Becker does not disclose how the concentrations of reactive substances differ from one position to the next. In fact, Becker fails to disclose or suggest a method by which the claimed structure can be formed, such as, for example, controlling the number of droplets, each of which contains the same amount of a substance, applied to a particular spot to differentiate, if needed, the amounts of the substance at different spots while maintaining these amounts as integer multiples of a predetermined amount. A repeat application of a material at a particular spot in Becker is conducted solely to compensate for the loss of that material due to, for example, evaporation (col. 5, lines 17-24). Thus, Applicants respectfully submit that Becker fails to anticipate the presently claimed invention or render it obvious.

Wherefore, withdrawal of the outstanding anticipation rejection and passage of the application to issue are respectfully requested.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

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